

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	HORNGREN ET AL.	Examiner:	C. BOSWELL
Serial No.:	10/650,531	Group Art Unit:	3676
Filed:	AUGUST 28, 2003	Docket No.:	14069.2US01 (f/k/a 15410.1US01)
Title:	LOCKABLE SECURITY DEVICE		

RESPONSE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

23552

PATENT TRADEMARK OFFICE

Dear Sir:

This is in response to the Office Action mailed on August 16, 2006, in which the pending claims 1, 3-7, 9-29 and 31-32 were rejected. Reconsideration of the application is requested in view of the following remarks. Please note that the Attorney Docket number has changed as indicated above.

Claims 1, 3-7, 9-29 and 31-32 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. 2002/003095 to Jaeb et al. Applicants respectfully traverse this rejection.

Jaeb discloses a security storage container 10 that includes a base 12 and a lid 14. A lock slide 18 is configured to lock the lid 14 in the closed position. With reference to Figures 9-14, Jaeb disclosed a configuration for moving the locking slide 18 between locked and unlocked positions. The slide 18 includes a locking channel 70 that receives a locking member 72 when the slide 18 is in the locked position (see Figs. 13 and 14 of Jaeb). The locking member 72 is secured to the base 12 at a first end and has a second end is resiliently biased toward the locking channel 70 so that the second end automatically moves into locking channel 70 when slide 18 is in the locked position. One end of the locking channel 70 provides a shoulder surface against which the second end of locking member 70 engages when positioned in the locking channel 70.

Jaeb fails to disclose or suggest a lock slide that comprises a resilient magnetic material, as required by claim 1. As mentioned above, Jaeb only discloses the use of a magnetic material for the locking member 72. The locking member 72 is a separate and distinct member from the slide 18, and is independently mounted to the base 12. Jaeb fails to disclose or suggest the use of magnetic material on the slide 18, and therefore fails to disclose or suggest every limitation of claim 1 and the claims that depend from it.

Furthermore, Jaeb fails to disclose or suggest a spring blade that forms an integral part of the lock slide, as required by claim 1. The locking member 72 disclosed by Jaeb is a separate and distinct part from the locking slide 18. Jaeb fails to disclose or suggest that the locking slide 18 includes a spring blade. Jaeb also clearly fails to disclose or suggest a spring blade that forms an integral part of the locking slide 18. Therefore, Jaeb fails to disclose or suggest every limitation of claim 1 for this additional reason.

Still further to the above, Jaeb fails to disclose or suggest "the stop member is arranged on the second security member," as required by claim 1, or "a second security member including a stop member,... a latch for maintaining the lock slide in a locked position, wherein said latch is carried on said first security member" as required by claim 23. The stop feature disclosed by Jaeb is a shoulder feature of the locking channel in the locking slide 18. The locking slide 18 is mounted to the base 12. Jaeb fails to disclose or suggest providing a stop feature on the lid 14 wherein the stop feature is engaged by the locking member 72. Therefore, Jaeb fails to disclose or suggest every limitation of claims 1 and 23 and the claims that depend from it.

Jaeb fails to disclose or suggest rearranging the various features of the locking aspects of the Jaeb device as suggested is possible by the rejection. The rejection contends that only a mere reversal of essential working parts from the Jaeb reference would be required for one of ordinary skill in the art to obtain the specific limitations of claims 1 and 23. Applicants respectfully disagree. As to claim 1, a mere reversal of parts in the Jaeb reference does not result in the features of the claim 1. For example, combining the locking member 72 with the slide 18 and positioning the locking channel 70 on the base 12 still does not result in a stop member for engagement by the locking member 72 being positioned on the lock lid 14. In another example, mounting the separate locking member 72, which is a separate and distinct magnetically active

member, to the locking slide 18 does not result in the locking member 72 being an integral part of the locking slide 18. Jaeb only discloses the locking member 72 as a separate and distinct piece that is merely mounted to a support structure. Therefore, mere reversal of the Jaeb features fails to meet the limitations of claims 1 and 23.

Concerning claim 23, Jaeb fails to disclose or suggest an arrangement in which the locking member 72 is carried by the base 12 and a stop member that is engaged by the latch is carried by the lid 14. The arrangement of the locking slide 18 with locking channel 70 relative to the locking member 72 on the base 12 disclosed by Jaeb is provided for a specific purpose to enable the use of key 24 as shown in Figures 15-17. The key 24 includes a magnet 90. In order to unlock the slide 18 from the locking channel 70, the key 24 is positioned adjacent to the edge of base 12 opposite the locking member 72, which pulls the locking member 72 out of the locking channel 70. Rearranging the parts of Jaeb to meet the limitations of claim 23 would eliminate the functionality of the key 24. Further, merely exchanging the places of the locking channel 70 with the locking member 72 in the Jaeb reference not only fails to result in a stop member being positioned on the lid 14, but also would render the functionality of key 24 inoperative.

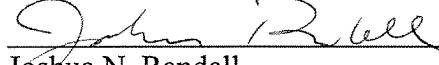
In view of the above, Applicants submit that Jaeb fails to disclose or suggest every limitation of claims 1 and 23 and the claims that depend from it.

In view of the above, Applicants request reconsideration of the application in the form of a Notice of Allowance. If a phone conference would be helpful in resolving any issues related to this matter, please contact Applicants' attorney listed below at (612) 371-5387.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date: Nov. 14, 2006



Joshua N. Randall
Reg. No. 50,719
JNR:njo:ae